

**Montana Department of
ENVIRONMENTAL QUALITY**

**Brian Schweitzer, Governor
Richard H. Opper, Director**

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

May 6, 2010

Ms Carol Campbell
USEPA Region 8
1595 Wynkoop St.
Mail Code 8EPR
Denver CO 80202-1129

Re: Letter of Concurrence, Record of Decision for Operable Unit 2 of the Libby
Superfund Site

Dear Ms Campbell:

The identification of Remedy at Operable Unit 2 (OU2), the former Screening Plant and Flyway, located near the intersection of Highway 37 and Rainy Creek Road approximately 5 miles north of Libby, is another key step forward in the overall cleanup process for the Libby Superfund site. This remedy, too, addresses Montana's January 2002, request from Governor Martz to name Libby as Montana's highest priority for NPL (Superfund) listing. Specifically, the selected remedy for OU2 includes removal of contaminated soil from the highway right-of-way, in-place containment of contaminated soils, off-site disposal of contaminated soils, and institutional controls with monitoring. The record of decision (ROD) for OU2 summarizes the sampling, testing, and response actions to date, the nature and extent of the contamination, and the selected remedy to reduce the risks to acceptable levels.

The DEQ concurs with the ROD for OU2 because the selected remedy will:

- 1) protect the public health and the environment by eliminating all known exposure pathways associated with OU2,
- 2) require that the remedy be re-evaluated for effectiveness when the site-wide risk assessment is completed, and
- 3) expedite beneficial use of the property.

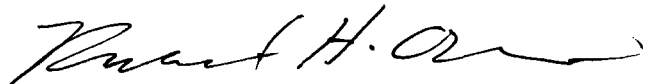
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The DEQ specifically concurs with ROD commitment that:

"When the site-wide risk assessment is complete, the agencies will re-evaluate the selected remedy and determine the need for modification. This determination will be published and an opportunity for public comment will be provided. Similar opportunities for public comment will be provided at the time of the subsequent five-year reviews."

The DEQ appreciates the opportunity to work with the EPA to develop this ROD, and the DEQ looks forward to working with the EPA to implement this ROD.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard H. Oppen", written in a cursive style.

Richard H. Oppen
Director

cc: Remediation Division